

FILED  
MAY 20 2008

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DEFAULT ENTERED

5/20/08

RICHARD W. WIEKING, CLERK

By

Deputy Clerk

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11 NORTHERN CALIFORNIA-NORTHERN  
12 NEVADA SOUND AND COMMUNICATIONS  
13 EMPLOYEE BENEFIT TRUST FUNDS;  
14 DOUG LUNG AND BOB TRAGNI AS  
15 TRUSTEES OF THE NORTHERN  
16 CALIFORNIA-NORTHERN NEVADA  
17 SOUND AND COMMUNICATIONS  
18 DISTRICT NO. 9 HEALTH AND WELFARE  
19 TRUST FUND,

Plaintiffs,

20 vs.

21 SPARTAN ENGINEERING, INC.,  
22 a California Corporation,

23 Defendant.

CASE NO.: C08-00537 RMW

REQUEST FOR  
ENTRY OF DEFAULT  
RULE 55(a)

24 A request to enter a default is allowed when a party against whom a judgment for  
25 affirmative relief is sought has failed to plead or otherwise defend as provided by the Rules of  
26 Court, Federal Rules of Civil Procedure, Rule 55.

27 Plaintiffs request the clerk enter the default of Defendant SPARTAN  
28 ENGINEERING, INC., a California Corporation, on the complaint filed on January 24, 2008.

Defendant is not an infant or incompetent person.

Defendant is not in the military service and is not entitled to the benefits of the  
Service Members Civil Relief Act (50 U.S.C. App. §501 et. seq.).

1                   Plaintiffs will request a default judgment under Rule 55(b)(2) upon the filing of  
2 an affidavit supporting the default judgment.

3  
4 Dated: May 8, 2008

  
SUE CAMPBELL  
Attorney for Plaintiffs

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## PROOF OF SERVICE

I am a citizen of the United States. My business address is 1155 North First Street, Suite 101, San Jose, California 95112. I am employed in the county of Santa Clara where this service occurs. I am over the age of 18 years, and not a party to the within cause. I am readily familiar with my employer's normal business practice for collection and processing of correspondence for mailing with the U.S. Postal Service, and that practice is that correspondence is deposited with the U.S. Postal Service the same day as the day of collection in the ordinary course of business.

On the date set forth below, following ordinary business practice, I served a true copy of the foregoing document(s) described as:

### REQUEST FOR ENTRY OF DEFAULT

- ☐ (BY FAX) by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below, or as stated on the attached service list, on this date before 5:00 p.m.
- ☒ (BY MAIL) I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at San Jose, California.
- ☐ (BY PERSONAL SERVICE) I caused such envelope(s) to be delivered by hand this date to the offices of the addressee(s).
- ☐ (BY OVERNIGHT DELIVERY) I caused such envelope(s) to be delivered to an overnight delivery carrier with delivery fees provided for, addressed to the person(s) on whom it is to be served.

SPARTAN ENGINEERING, INC.,  
A California Corporation  
540 Parrott Street  
San Jose, CA 95112

*b* (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 14, 2008, at San Jose, California.

  
CHRISTINE DELGADILLO

**UNITED STATES DISTRICT COURT**  
**Northern District of California**  
**280 South First Street**  
**San Jose, California 95113**

[www.cand.uscourts.gov](http://www.cand.uscourts.gov)

Richard W. Wieking  
Clerk

General Court Number  
408.535.5364

May 21, 2008

RE: CV 08-00537 RMW NORTHERN CALIFORNIA-NORTHERN NEVADA SOUND  
AND COMMUNICATIONS, ET AL.-v- SPARTAN ENGINEERING, INC.

Default is entered as to Spartan Engineering, Inc., on 5/20/08.

RICHARD W. WIEKING, Clerk

by: *Cita F. Escalano*  
Case Systems Administrator